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U.S. DISTRICT COURT  
 DISTRICT OF NH  
 FILED  
 2019 FEB 11 P 12: 23

**UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEW HAMPSHIRE**

PAUL MARAVELIAS,  
 a natural person,  
  
 Plaintiff,

v.

JOHN J. COUGHLIN,  
 a natural person, in his individual and  
 official capacities,  
  
 GORDON J. MACDONALD,  
 a natural person, in his official capacity as  
 Attorney General of New Hampshire,  
  
 PATRICIA G. CONWAY,  
 a natural person, in her official capacity as  
 Rockingham County Attorney,  
  
 TOWN OF WINDHAM, ex rel.,  
 WINDHAM POLICE DEPARTMENT,  
 municipal entities,  
  
 GERALD S. LEWIS,  
 a natural person, in his official capacity as  
 Chief of Police of the Town of Windham,  
  
 Defendants.

Case No. \_\_\_\_\_

**[PROPOSED] ORDER  
 GRANTING TEMPORARY  
 RESTRAINING ORDER AND  
 ORDER TO SHOW CAUSE AS  
 TO WHY A PRELIMINARY  
 INJUNCTION SHOULD NOT  
 ISSUE**

Date: \_\_\_\_\_

Time: \_\_\_\_\_

**[PROPOSED] ORDER**

Upon consideration of Plaintiff's Application for Temporary Restraining Order and Order to Show Cause Re Preliminary Injunction, the Memorandum and Exhibits in support thereof, as well as the parties' brief and oral argument, if any, this Court finds that Plaintiff

1 has demonstrated a need for preliminary injunctive relief in this case, and that immediate,  
2 irreparable injury will result to Plaintiff in the absence of a temporary restraining order.  
3 *See* Fed. R. Civ. P. 65(b). The standard for issuing a temporary restraining order is the  
4 same standard that applies to preliminary injunctions. *See, e.g., Francis v. Pulley*, No. 06-  
5 480, 2006 U.S. Dist. LEXIS 93792, at \*5 (D.N.H. Dec. 28, 2006). Plaintiff has shown the  
6 Defendants are engaging in a course of conduct affecting his constitutional interests and  
7 that there is imminent threat Defendants will criminally enforce the material “extended  
8 terms” against Plaintiff. Plaintiff’s well-pleaded allegations identify an imminent threat of  
9 irreparable injury by deprivation of federal constitutional rights and establish he is likely to  
10 succeed on the merits, warranting *ex parte* prospective injunctive relief. The Court finds  
11 the protection of constitutional rights to be in the public interest and that the balance of  
12 equities tips in Plaintiff’s favor.

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15 Accordingly, the Court hereby GRANTS Plaintiff’s *Ex Parte* Application and  
16 ORDERS A TEMPORARY RESTRAINING ORDER against Defendants Gordon J.  
17 MacDonald, Patricia G. Conway, the Town of Windham, Gerald S. Lewis, and their  
18 officers, agents, servants, employees, and attorneys (collectively, “Defendants Bound”).  
19 Effective immediately, the said Defendants Bound are:  
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- 21
- 22 1. HEREBY ENJOINED AND RESTRAINED from enforcing anywhere the  
23 extended terms granted on 8/7/2018 to the NH district court civil protective order in  
24 Christina DePamphilis v. Paul Maravelias (473-2016-CV-00124), to wit, the  
25 extended terms that “Respondent [Plaintiff Maravelias] shall not gain access to or  
26 possess any of Petitioner’s [Christina DePamphilis’s] social media communications  
27 either directly or through a third party”; and  
28

1           2. HEREBY ENJOINED AND RESTRAINED from obtaining, executing, or  
2           enforcing any arrest or search warrants in connection to any investigation or  
3           criminal charge relating to Plaintiff's alleged violation of the said extended terms.  
4

5           IT IS FURTHER ORDERED that Defendants shall show cause as to why a preliminary  
6           injunction should not issue enjoining them and their agents from enforcing the said  
7           extended terms to the protective order against Plaintiff. The Court will construe Plaintiff's  
8           moving papers for a TRO as a motion for preliminary injunction.  
9

10          This order SHALL remain in full force and effect through the earlier of the expiration of  
11          ten (10) days or a hearing on a preliminary injunction. The case is set for a hearing on a  
12          preliminary injunction on \_\_\_\_\_.  
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15          IT IS SO ORDERED, this \_\_\_\_ day of February 2019 at \_\_\_\_\_.  
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18          Dated: February \_\_\_\_, 2019

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19          United States District Judge  
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